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5  
6 Attorneys for Defendants Philip H. Davis  
and PHD Development, LLC

7  
8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 MUTIBANK 2009-1 RES-ADC VENTURE,  
11 LLC, a Delaware limited liability company,

12 Plaintiff,

13 v.

14 STEVEN B. AIZENBERG, an individual;  
15 PHILIP H. DAVIS, an individual; FRED  
LESSMAN, an individual; PHD  
16 DEVELOPMENT, LLC, a Nevada limited  
liability company; S.B.A. DEVELOPMENT,  
17 INC., a Nevada corporation; and THE FRED  
LESSMAN 2001 LIVING TRUST,

18 Defendants.

CASE NO.: 2:10-cv-01084-JCM-GWF

SUBSTITUTION OF ATTORNEY

19 Defendants, PHILIP H. DAVIS and PHD DEVELOPMENT, LLC, hereby substitute  
20 DAVID R. JOHNSON, ESQ. of the law firm of WATT, TIEDER, HOFFAR & FITZGERALD,  
21 L.L.P. as their attorney in the above-entitled action in the place and stead of the law firm of  
22 IGLODY LAW OFFICE dated this 9<sup>th</sup> day of May, 2011.

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25 PHILIP H. DAVIS

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27 PHD DEVELOPMENT, LLC  
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**CONSENT TO SUBSTITUTION**

The law firm of IGLODY LAW OFFICE hereby consents to the substitution of the law firm of WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P., as attorney for Defendants, PHILIP H. DAVIS and PHD DEVELOPMENT, LLC, in the above-entitled action, in its place and stead.

Dated this 15 day of May, 2011.

IGLODY LAW OFFICE

L Iglody  
Lee I. Iglody, Esq.  
9555 South Eastern Avenue, Ste. 280  
Las Vegas, NV 89123

**ACCEPTANCE OF ATTORNEY**

DAVID R. JOHNSON, ESQ. of the law firm of WATT, TIEDER, HOFFAR & FITZGERALD, L.L.P. does hereby agree to be substituted in place and stead of the law firm of IGLODY LAW OFFICE in the above-entitled action.

Dated this 10 day of May, 2011.

WATT, TIEDER, HOFFAR  
& FITZGERALD, L.L.P.

David R. Johnson  
DAVID R. JOHNSON, ESQ.

This substitution of counsel is made subject to the provisions of with LR 1A 10-6 (c) and (d) and in full conformity thereof.

IT IS SO ORDERED.

George Foley Jr.  
GEORGE FOLEY, JR.  
United States Magistrate Judge  
DATED: May 20, 2011

**PROOF OF SERVICE**

I am a citizen of the United States and employed in Clark County, Nevada. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 3993 Howard Hughes Parkway, Suite 400, Las Vegas, Nevada 89169. On May 19, 2011, I served a copy of the within document(s):

**SUBSTITUTION OF ATTORNEY**

- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, the United States mail at Las Vegas, Nevada addressed as set forth below.
- ☐ by placing the document(s) listed above in a sealed \_\_\_\_\_ envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a \_\_\_\_\_ agent for delivery.
- ☐ by personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.
- ☒ by transmitting via e-mail or electronic transmission the document(s) listed above to the person(s) at the e-mail address(es) set forth below.

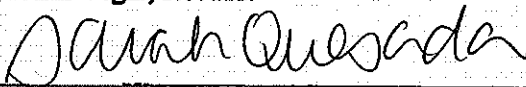
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*Attorney for Defendant*  
 Fred Lessman and The Fred Lessman  
 2001 Living Trust

I am readily familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

1 I declare under penalty of perjury under the laws of the State of Nevada that the above is  
2 true and correct.

3 Executed on May 19 2011, at Las Vegas, Nevada.

4   
5 An Employee of Watt, Tieder, Hoffar & Fitzgerald, LLP